

**REMARKS**

**Claim Rejections**

**Claims 1, 2, 5 and 8 --- 35 U.S.C. § 102(e)**

Claims 1, 2, 5 and 8 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Pat. No. 6,986,159 to Shimoji *et al.* ("Shimoji"). Applicant traverses this rejection.

Addressing claim 1, Shimoji is directed to a digital broadcast system which allows viewers to change the contents of programs interactively by their own operation (column 3, lines 42-45). Shimoji does not disclose or suggest at least determining in advance a hierarchical number of said plurality of files to be retained, as recited in the claim. Shimoji discloses that as video elementary streams (column 40, lines 25-28) are acquired and stored, information about the acquired files is logged into a hierarchical accumulating data management table (column 55, lines 36-40; Fig. 29). Thus, Shimoji discloses *a hierarchical table*, but does not disclose or suggest that *a hierarchical number of files* to be retained is *determined in advance* as set forth in the claim.

Further, Shimoji does not disclose or suggest acquiring a start file from a determined elementary stream, retaining said start file, and *acquiring automatically said plurality of files* linked by anchors ranging *from said start file to said hierarchical number of files by analyzing said start file*, as recited in the claim. As cited by the Examiner, Shimoji discloses acquiring a navigation information table and still video image using a transport stream decoder portion in response to an operator command (column 47, lines 50-54) and *recording a set of still video images* and a set of navigation data, which are transmitted repeatedly, into program data memory (column 47, lines 59-62). Shimoji, therefore, discloses a system responsive to an operator

command and is silent as to the *analyzing of a start file to automatically acquire* a plurality of files from the start file to the hierarchical number of files. Neither the cited portion of Shimoji nor any other portion of Shimoji discloses or suggests these claimed features.

For at least the above reasons, claim 1 is not anticipated by Shimoji and is therefore patentable. Claims 2, 5 and 8 contain features similar to the features recited in claim 1 and are therefore patentable for similar reasons.

**Claims 3, 4, 6, 7 and 9-12 --- 35 U.S.C. § 103(a)**

Claims 3, 4, 6, 7 and 9-12 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shimoji in view of U.S. Pat. No. 6,374,404 to Brotz *et al.* ("Brotz"). Applicant traverses this rejection.

The combination of Shimoji and Brotz does not disclose or suggest at least the above-noted features of independent claims 1, 2, 5 and 8 which are incorporated into claims 3, 4, 6, 7 and 9-12 by virtue of their dependence from one of the independent claims. Brotz does not cure the deficiencies of Shimoji established above.

Brotz is directed to an intelligent device providing user interface and control of information on a display screen (column 2, lines 38-41). Brotz discloses receiving and storing a current hypertext document into cache memory and replacing an old copy of the hypertext document with the current version of the hypertext document (column 11, lines 5-9). In other words, Brotz discloses a digital TV web page caching system capable of updating stored web pages which provides a page browsing experience. However, Brotz does not disclose or suggest at least the features of determining in advance a hierarchical number of said plurality of files to be retained, or acquiring a start file from a determined elementary stream, retaining said start file, and acquiring automatically said plurality of files linked by anchors ranging from said start file

to said hierarchical number of files by analyzing said start file, which are deficient in Shimoji.


Therefore, even if one of ordinary skill in the art at the time the invention was made had been motivated to combine the references, the combination would still not result in the claimed features. For at least the above reasons, claims 3, 4, 6, 7 and 9-12 are patentable over the combined references.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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Francis G. Plati, Sr.  
Registration No. 59,153

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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